FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.252 OF 2006

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.M.M.Chopra for the applicant.

Mr.D.R.More, APP for the State.

Coram : R.S.Mohite,J

Date : 1.2.2006.

PC

1. This is an application for quashing of orders passed by the Additional Chief Metropolitan Magistrate, 24th Court, Borivali, dismissing a criminal case for the offence of defamation filed by the present petitioner. The order dismissing the complaint was challenged in revision and the revisional order concures with the orders passed by the Magistrate. The alleged defamation is said to be in the draft minutes of the annual general meeting. On perusal of the same, it is seen that it is mentioned in the minutes that one of the members who

attended the meeting by name Eric Pereira informed the members that the petitioner was a habitual troublesome member in the society and has unique habit of filing false cases against all the mamaging committees and dragging its members to the Joint Registrar's office, police station, courts etc. That this was his unique method of harassing since the BMC authorities had demolished his STD booth, he had become a frustrated and desperate man who was trying to take revenge for the same. On this statement said to be made by Mr.Eric Pereira and contained in the draft meeting, a criminal case for defamation is filed against 16 members and the co-operative housing society. Perusal of the minutes indicates that no statement is attributed to any of these members. In my view there is no perversity in the orders passed by the lower courts. Hence, application is rejected.

(R.S.Mohite,J)